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### Digitizing the Indiana Code

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# Digitizing the Indiana Code

By Susan David deMaine and Benjamin Keele  
Ruth Lilly Law Library  
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Indianapolis, IN

## *Background*

The Ruth Lilly Law Library holds one of the most complete sets of the official Indiana Code in print, and we often receive research requests for sections of the historical Code from attorneys and other researchers. The print collection is far more complete than anything available online and is freely available for anyone to use, but this generally requires a trip to the library. Currently, there is no free online public access to the Indiana Code predating 2009,<sup>†</sup> and paid access offers no codes between 1921 and 1990.<sup>‡</sup> We have set out to change this.

## *Getting Started*

In the spring of 2019, we met with librarians from the Center for Digital Scholarship at our campus's University Library. With their help, we accomplished the scanning of a single "title" of the Indiana Code from 1971 through 2000 as a pilot project to assess feasibility and interest. We chose Title 35, Criminal Law and Procedure, since it is one for which we receive many requests. We chose to start with 1971 because it was then that the current organization and numbering scheme was first implemented, marking a sea change in the Code's history. We stopped at 2000 because we were anticipating getting (and have now received) already-existing PDFs for 2001 to the present from the Indiana Legislative Services Agency (LSA).

We also decided to experiment first with CONTENTdm as the platform for hosting and public access because University Library already pays for CONTENTdm. We agreed to use University Library's student employees to do the scanning, and, fortunately, we have been able to arrange to pay the students' wages out of our student employee budget even though the work is being done at a different campus unit.

To address copyright issues, we reached out to the LSA and Thomson Reuters. The LSA responded enthusiastically because the Indiana government has no plans to digitize anything prior to 2001. The LSA gave us the necessary permissions to provide free access to the Code. Thomson Reuters, which printed the Code on behalf of the state from 1976 to 2001, has granted permission for us to use section headings, tables, and indexes in which it claims copyright.

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<sup>†</sup> The Indiana General Assembly website has 2009-current available. It is our understanding that they have no plan to expand this coverage backward.

<sup>‡</sup> A subscription to historical state statutory codes is available from HeinOnline and includes most of Indiana's published codes prior to 1921. Westlaw has 1990 to date, and LexisNexis offers 1991 to date.

### *Current status*

The pilot collection was well received by local firm librarians and others, and we have been largely pleased with the functioning of CONTENTdm (that it is not costing us anything weighs heavily in its favor). CONTENTdm can deal with the number of scans involved. Navigation requires a fair number of clicks, but retrieval of a particular section is relatively easy. The uncorrected OCR is searchable and successfully leads the user to relevant pages. While images are hosted on OCLC's CONTENTdm server, copies are also kept, at least temporarily, on the University Library's local server and, more permanently, in the university's Scholarly Data Archive.

At this point, we are moving ahead with scanning of all titles, starting again with 1971. Scanning is being done with the same arrangements as before. Processing of the scans in preparation for upload and the uploading itself is being done by Anna Proctor, the digitization coordinator at the University Library Center for Digital Scholarship.<sup>§</sup> Each page image is labeled in accordance with the Indiana Code's hierarchical organizing scheme of Title-Article-Chapter-Section. With this labeling, a researcher with a typical citation will be able to retrieve the appropriate section.

We hope to have a public-facing interface soon, but there are several issues that need to be resolved first. One is simply generating enough content. Another is how and where to place a warning/caveat that the material in the collection is historical and should not be used as current law. Placing this caveat on the actual images has proved impossible, so we will likely be adding it to the collection's webpage instead.

### *Future*

We would eventually like to expand this project back to the years prior to 1971. Progress towards this goal be slow as we will face new copyright issues. Prior to 1971, the Indiana Code went through several private publishers. These eventually culminated in Bobbs-Merrill, which has since been purchased by LexisNexis. LexisNexis likely has copyright claims on at least some parts of the Code for some years, but copyright will have to be investigated for anything post-1924 to be sure.

We are also seeking funding to outsource the scanning to a commercial vendor. Using student workers, even the portion of the project running from 1971 to the present will likely take several years. The expansion back in time will add even more years. Using a vendor for scanning would allow this project to be completed in less time. Processing of the scans would still be done in-house, but the work could be done by several people and, thanks to batching tools, takes less time than scanning. The Central Indiana Community Foundation has a specific fund for libraries, so please keep your fingers crossed for us! If you want to view and explore the collection go to <http://ulib.iupuidigital.org/cdm/landingpage/collection/IC>. ■

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<sup>§</sup> We are deeply grateful to Anna Proctor for all the work she has put into this project, especially in light of unique nature of statutory codes and the size and tedium of the collection. None of this would have been possible without her patience and diligence. Thanks also to Andy Smith and Richard Wing of IUPUI University Library for their technical support behind the scenes, and the students doing the scanning: Mason Runkel, Jordan Kalt, and Dennis Kipchumba Kipkoech.